

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JLM COUTURE, INC.,

Plaintiff,

-v-

No. 20 CV 10575-LTS-SLC

HAYLEY PAIGE GUTMAN,

Defendant.

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ORDER

In briefing Defendant's Motion to Dissolve the Preliminary Injunction Order as directed by the Court's Order dated May 6, 2021, (Docket entry no. 149), the parties are hereby directed to address this Court's jurisdiction to modify or dissolve the Preliminary Injunction Order pending appeal without the consent of the Court of Appeals in light of International Ass'n of Machinists and Aerospace Workers, AFL-CIO v. Eastern Air Lines, Inc., 847 F.2d 1014, 1018 (2d Cir. 1988) (holding that for an injunction pending appeal, Fed. R. Civ. P. 62(d) "has been narrowly interpreted to allow district courts to grant only such relief as may be necessary to preserve the status quo pending an appeal where the consent of the court of appeals has not been obtained") (citing Ideal Toy Corp. v. Sayco Doll Corp., 302 F.2d 623, 625 (2d Cir. 1962).

SO ORDERED.

Dated: New York, New York
May 7, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge